IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 23066 of 2007(U)

PETITIONER:

BUDHADAS, S/O.AYYAPPANKUTTY,
AGED 67 YEARS, KANIYAMPARAMBIL HOUSE,
KARAMUKKU VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:

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1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF JOINT REGISTRAR FOR CO-OPERATIVE
SOCIETIES, THRISSUR.

2. KARAMUKKU SERVICE CO.OPERATIVE
BANK LTD.NO.16, KANDASSANKADAVU P.O., THRISSUR,
REPRESENTED BY ITS SECRETARY.

3. SALE OFFICER,
KARAMUKKU SERVICE CO.OPERATIVE
BANK LTD.NO.16, KANDASSANKADAVU P.O., THRISSUR.

BY ADV. SRI.C.E.UNNIKRISHNAN
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN FOR R1, R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF THE TITLE DEED DTD. 24-08-1977

EXT.P2 TRUE COPY OF THE DEATH CERTIFICATE DTD. 28-12-06 OF ADAT GRAMA PANCHAYATH

EXT.P3 TRUE COPY OF THE SALE NOTICE DTD. 19-07-07 ISSUED BY R2.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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WP.(C) No.23066 of 2007

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Dated this the 23rd day of August, 2007

JUDGMENT

Petitioner availed a loan. It was not paid. Recovery is challenged in this writ petition.

2. I heard learned counsel for the Bank also.

3. Petitioner seeks permission to pay off the amount in easy instalments.

Having heard counsel, the petitioner is permitted to pay off the amount due with interest in five equal monthly instalments. The respondent Bank will serve a statement on the petitioner showing the exact amount of instalment to be paid on the basis of this judgment. The first instalment shall be paid on or before 28.9.2007 and the subsequent instalments on or before the 28th of the succeeding months. If any instalment is not paid by the petitioner, he will lose the benefit of this judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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